

REMARKS

The Official Action of March 21, 2008 has been carefully considered. The amendments and remarks herein are considered to be responsive thereto. The
5 claims remaining in the case are 1-16.

Claims 1-5 & 7 are rejected under 35 USC 112, first paragraph because the specification is not enabling for the variable Het/Ar when it is other than pyridine. Applicants respectfully traverse. One of ordinary skill in the art would readily appreciate what is meant by Het/Ar upon review of page 7, lines 33-35, page 8, lines
10 1-5 and lines 28-35 and page 9, lines 1-6, of the specification. The terms heterocyclyl and aryl are clearly defined in these sections of the specification. One of ordinary skill would also readily appreciate how to use and make the claimed invention in view of Schemes 1 through 3 and the definition of heterocyclyl and aryl described in the specification. Applicants would like to bring to the Examiner's attention the fact that
15 the term was used and accepted in US Patent No. 7,196,082. The term is also used in currently pending US serial No. 10/569,921, which was filed simultaneously with the present invention.

Claims 9-12 are rejected under 35 USC section 101 & 112 because they provide for the use of compounds of formula I without setting forth the steps
20 involved in the method/process. By this amendment claims 9-12 have been amended to recite them as method of treatment claims thereby addressing the Examiner's concerns.

Claim 15 is rejected under 35 USC section 112, second paragraph for using the phrase "or derivative thereof". To more precisely define the invention,
25 claim 15 has been amended to delete the phrase.

Claims 6, 13, 14 and 16 are objected to as being dependent upon a rejected base claim. Pursuant to the arguments and amendments to the claims made herein, Applicants respectfully submit that claims 6, 13, 14 and 16 now depend upon an allowable claim.

30 Applicant's acknowledge and thank the Examiner for allowing claim 8.

In light of the amendments and remarks herein Applicants believe the claims are in condition for allowance. The Examiner is respectfully requested to contact the undersigned at the number below if this would expedite the allowance.

Respectfully submitted,

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